

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.
2016 NOV 10 AM 11:09
CLERK
SO. DIST. OF GA.

CARLO B. RELIFORD,)	
)	
Petitioner,)	
)	
v.)	CV416-293
)	
TAMALA BROWN, Warden,)	
)	
Respondent.)	

ORDER

Carlo B. Reliford, currently incarcerated at Montgomery State Prison in Montgomery County, Georgia, has filed a petition for habeas corpus under 28 U.S.C. § 2241.¹ See doc. 9. The Clerk mistakenly

¹ When he filed his petition, Reliford was incarcerated at Bulloch County Correctional Institute. Doc. 1. He has since moved to Montgomery State Prison. Doc. 4 (letter to the Court). Reliford filed his petition in this district, presumably because he is incarcerated here. Doc. 9 at 1 n. 1; doc. 1 at 9 (incarcerated at Bulloch County Correction Facility). This Court construed his petition as one brought pursuant to 28 U.S.C. § 2254, and transferred it to the United States District Court for the Middle District of Georgia -- the district where Reliford was convicted. Doc. 6; doc. 1 at 1 (convicted in Dougherty County Superior Court). Upon review, the Middle District determined that Reliford's petition was properly construed as one brought pursuant to 28 U.S.C. § 2241. Doc. 9 at 1-2. Since jurisdiction over such petitions lies only in the district of confinement, the Middle District transferred the case back to this Court. *Id.* at 2 (citing, *inter alia*, *Rumsfeld v. Padilla*, 542 U.S. 426, 443 (2004)). As the proper respondent is Reliford's "immediate custodian," *Padilla*, 542 U.S. at 438, the Clerk is **DIRECTED** to substitute Tamala Brown, the warden of Montgomery State Prison, as the respondent in this matter.

assigned this case to the Savannah Division of this Court. Since Reliford is in custody in Montgomery County, this case should have been filed in the Dublin Division. *See* 28 U.S.C. § 90(c)(2). Accordingly, this action is reassigned to the Dublin Division.

SO ORDERED, this 9th day of November, 2016.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA